to adequate mitigation. Either measure, of course, would have to be introduced by an extensive and comprehensive program of public education designed to make the transition as smooth and convenient as possible.

As noted, public statement hearings and educational forums have already been scheduled, and we anticipate that further comment on this paper will be invited. The results of those processes will be reflected in the recommendations to be presented to the Commission.

CASE 96-C-1158

ATTACHMENT B

PLEASE NOTE: The code exhaust data in this excerpt are as of the end of 1996 and have been superseded.

BACKGROUND

The North American Numbering Plan (NANP) serves the United States, Canada, Puerto Rico, Bermuda, the Bahamas, and most of the English-speaking Caribbean countries (North America is also known as World Zone 1). Each telephone line is assigned a ten-digit number consisting of a three digit area code, a three digit central office code, and a four digit station number. For example, the Consumer Services Division's help line number for out-of-state callers is (212) 290-4171 which consists of the:

212	290	4171
area code	central office code	station number

Each central office code has a theoretical capacity of 10,000 station numbers (i.e., 0000 through 9999). However, only approximately 9,500 of these can actually be assigned as working telephone numbers at any time, because about 500 station numbers per central office code are needed for test purposes and to provide intercept for customers who move or otherwise disconnect their services. When all available station numbers in a central office code are assigned to customers or are otherwise in use, a new central office code must be assigned to the service area from the pool of central office codes unassigned in that area code.

The availability of central office codes is affected by: previous central office code assignments, requirements for

special access and service codes, and various necessary functions such as plant testing and the provision of repair and emergency services. Theoretically, 1,000 central office codes (i.e., all numbers between 000 and 999) might be expected to be available for assignment within an area code. However, none of the 200 numbers between 000 and 199 may be used for central office codes as the telephone switching equipment currently in use recognizes all numbers beginning with "0" or "1" as operator or long distance calls, respectively. In addition, approximately 40 special access and company administrative codes and several other codes (primarily those such as 718 and 201 codes which are assigned as area codes in surrounding areas) are not assigned as central office codes in New York City. Thus, there are only about 760 assignable central office codes per area code in New York City. Thus, in the New York City area code 212, a maximum of 7.2 million telephone numbers (9,500 telephone numbers per central office code x 760 codes) are available for assignment. In actuality, codes cannot be used to their fullest capacity because of demand for telephone service in different areas of Manhattan, disconnects of service and the need to assign central office codes to competing local exchange carriers, etc.

The NANP was first introduced in 1951. At that time, the 212 area code served all five Boroughs of New York City. The 212 code had provided New York City with an adequate supply of telephone numbers for about thirty years. However, the demand for telephone numbers began to increase rapidly during the 1970's, and the number of unassigned central office codes decreased quickly, placing the 212 area code in jeopardy. In order to make additional central office codes available as the supply dwindled, New York Telephone introduced interchangeable central office codes[1] in the 212 area code during 1980. This

[1] Use of interchangeable central office codes provided additional central office codes in the 212 area code of a type similar in format to area codes (i.e., where the second digit of the code is zero or one). Equipment modifications were necessary to allow this as the

change made 152 additional three-number combinations available for assignment as central office codes, effectively extending the life of the 212 area code for approximately five years.

Rapid growth in the demand for telephone numbers continued; this, along with the introduction of cellular phones, pagers, and facsimile machines exacerbated the exhaust of telephone numbers in New York City. By 1984, central office code relief was again needed in New York City. Such relief was provided by dividing the geographic territory previously served by the 212 area code and assigning the Boroughs of Brooklyn, Queens, and Staten Island to a new 718 area code in 1985.

New York City's communications-intensive economy continued to grow at an unprecedented pace during the late 1980's, and additional central office code relief was again needed in New York City. In 1992, the Bronx was transferred from the 212 area code to the 718 area code and a new 917 overlay area code was created for wireless and some wireline services throughout New York City. This plan was developed by a government/industry task force led by staff. It was expected at that time that the central office code relief provided by this action would last at least through 2002 for the 212 area code, and through about 2012 for the 917 area code.

Growth in the demand for central office codes in the 212 and 917 area codes is continuing and has significantly exceeded all previous projections. In 1992, only 14 new central office codes were assigned in the 212 area code. Approximately 30 codes per year were assigned in 1994 and 1995. New York Telephone's latest projection for 1996 is for a total of 60 central office code assignments in the 212 area code. Based on the latest information supplied by New York Telephone, the 212 area code is now considered vulnerable to exhaust as early as the first quarter of 1998 (the "exhaust window" for the 212 area code

---

second digit had previously been used to distinguish between area codes and central office codes.

is expected to be between the first quarter of 1998 and the third quarter of 1999). Central office code assignments in the 917 area code are also significantly exceeding projections, and the 917 area code is now expected to exhaust as soon as the third quarter of 1999 (the "exhaust window" for the 917 area code is currently expected to be between the third quarter of 1999 and the second quarter of the year 2000).

Area code modifications have become increasingly common since 1992. Other major metropolitan areas in the United States (i.e., Los Angeles, Chicago, Philadelphia, Atlanta, Boston, Baltimore, Cleveland, Houston, etc.) have recently experienced similar increases in central office code assignments and have required central office code relief. Several other New York State area codes are also inching toward exhaust as indicated in the following chart:

Numbering Plan Area (NPA)/Area Code Exhaust
Ranked By Required Relief Date
New York State

			Central Office Codes in Use as of January 1996 by Service Type						
Area Served	Area Code	Projected Relief Date	Normal	DID/CTX	Pager	CLECs	Cellular	Other	Total In Use
Manhattan	212	1998	406	174	8	29	0	46	663
New York City	917	1999	3	22	233	1	83	52	394
Long Island	516	2003	308	48	81	12	55	41	545
Buffalo/Rochester	716	2004	415	7	10	11	23	80	546
Kingston/White Plains	914	2005	328	13	43	6	39	77	506
Syracuse/Utica	315	2016	255	2	16	12	22	78	385
BQB/SI	718	2018	445	25	11	9	5	47	542
Albany/Plattsburgh	518	2022	254	2	16	8	22	89	391
Binghamton	607	2043	164	0	2	5	13	130	314
		Totals	2,578	293	420	93	262	640	4,286

Note: There are a maximum of 800 central office codes available for use in any area code
DID/CTX = Direct Inward Dial Centrex
CLEC = Competing Local Exchange Carrier
Other = Plant Test, protected and reserved central office codes

CASE 96-C-1158

ATTACHMENT C

As of 9/97

Public Involvement - Case 96C - 1158

	Date	Number	Remarks
Presentations	3/97 to 7/97	13 events 1000 persons	Comments at these events overwhelmingly favored the overlay since all current customers could retain the 212 area code. However, the Commission was called upon to find a long term solution i.e., 8 digit number or the addition of a few area codes at the same time.
Opinion Line	4/97 to 8/97	131 calls	68 callers favored the overlay, 22 favored the geographic split and 41 offered other recommendations, i.e., assigning the new area code to all faxes and modems, giving one area code to residential customers and the other to business customers.
Exhibits	4/97 and 7/97	2 events	Distributed CSD consumer informationals and answered questions at Getting Down to Business (NYC Office of Business Services) and the Black Expo.
Letters & Resolutions	4/97 to 8/97	27	Correspondents included Chairpersons of five Community Boards, Queens Borough President Claire Shulman, Assemblyman Richard Gottfried and Senator Franz Leichter. Seventeen favored the overlay, 6 favored the split and 4 made other recommendations.
Web, E-Mail	7/97	3	Two made other suggestions and one favored the overlay.
PSH Forums	7/97	6 Forums 60 Persons	An informational forum was held prior to each of the public statement hearings. Staff discussed the issues and options. Eighteen persons made statements at the hearings. The majority favored an overlay.

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

AFFIDAVIT IN SUPPORT OF THE NEW YORK DEPARTMENT OF PUBLIC SERVICE PETITION FOR EXPEDITED WAIVER OF 47 C.F.R. 52.19(3)(C)(ii)

FILED BY
THE NEW YORK STATE
DEPARTMENT OF PUBLIC SERVICE

Dated: January 9, 1998
Albany, New York

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matters of	)	
	)	
Implementation of the Local Competition Provisions of the Telecommunications Act of 1996	)	CC Docket No. 96-98
	)	
Interconnection Between Local Exchange Carriers and Commercial Mobile Radio Service Providers	)	CC Docket No. 95-185
	)	
Area Code Relief Plan for Dallas and Houston, Ordered by the Public Utility Commission of Texas	)	NSD File No. 96-8
	)	
Administration of the North American Numbering Plan	)	CC Docket No. 92-237
	)	
Proposed 708 Relief Plan and 630 Numbering Plan Area Code and Ameritech-Illinois	)	IAD File No. 94-102

FILED BY
THE NEW YORK STATE
DEPARTMENT OF PUBLIC SERVICE

AFFIDAVIT IN SUPPORT OF THE NEW YORK DEPARTMENT OF PUBLIC SERVICE PETITION FOR EXPEDITED WAIVER OF 47 C.F.R. 52.19(3)(C)(ii)

ALLAN H. BAUSBACK, being duly sworn, deposes and states:

1. I am the Acting Director of the New York Department of Public Service (NYDPS) Communications Division. I have been employed by the NYDPS since 1965. I oversee telecommunications regulation for the NYDPS and advise the New York Public Service Commission (NYPSC) on telecommunications matters.

2. The NYPSC instituted a proceeding to consider the appropriate manner for ensuring an adequate supply of telephone

numbers in New York City (NYPSC Case 96-C-1158). This proceeding generated the information presented in this affidavit.

3. It is anticipated that all available central office codes will exhaust in the 212 area code (serving Manhattan) by June 1998, the 718 area code (serving Queens, Brooklyn, Bronx and Staten Island) by early 1999, and the 917 area code (serving primarily wireless customers in New York City) by late 1999. The growth for central office codes in the 212 area code continues unabated. Increased demand may accelerate these dates.

4. The implementation of overlay relief plans will provide the longest possible period of area code relief while causing the least possible inconvenience to consumers. In Manhattan, the Overlay Relief Plan (Overlay Plan) is expected to provide 6.5 years of relief compared to about 5.0 years provided by the most efficient geographic split plan. Similarly, the Overlay Plan would provide 13.0 years of relief for the 718 NPA versus 10.5 years under the most efficient geographic split. Overlay relief plans are less inconvenient than geographic split plans because forced telephone number or area code changes are not necessary. Avoiding forced telephone number changes will save New York City businesses millions of dollars as they will not have to change advertising, stationery, and vehicle lettering. Residential customers will avoid the inconvenience of notifying friends and relatives of their new telephone numbers and/or area codes.

5. The overwhelming majority of the consumers and community groups that either wrote or called the Department of Public Service concerning this issue favored the overlay relief

plans. Similarly, almost all of the speakers that appeared at the seven public hearings held in all five Boroughs of New York City favored the overlay relief plans. Many expressed a strong desire to maintain their current area codes, telephone numbers, and dialing procedures.

6. Most of the CLECs indicated that, while their first preference might be to implement geographic splits, they could accept an overlay relief plan if certain conditions designed to foster competition were included. Those conditions are similar to those provided in paragraph 10 below.

7. Any new area codes assigned to New York City will become rapidly acceptable to the public and will soon be identified as "New York City" area codes by the general public because the new codes will fill quickly. Indeed, the 646 relief code for Manhattan will probably run out of numbers in only 6.5 years and the 347 relief code for the four outer Boroughs will probably exhaust in 13.0 years.

8. There are only three rate centers in Manhattan. The CLECs are overwhelmingly interested in only the rate centers that serve Lower and Midtown Manhattan. The CLECs are currently able to obtain central office codes in all three Manhattan rate centers.

9. The NYPSC concluded that area code overlays, subject to appropriate pro-competitive conditions, would provide the longest possible area code relief for New York City on a timely basis while causing the least amount of customer disruption (PSC Opinion No. 97-18).

10. In order to provide number relief in a competitively equitable manner, the following conditions were imposed by the NYPSC:

a. continued enforcement of the anti-discrimination provisions of the central office code assignment guidelines;

b. permanent number portability to ensure competitively neutral access to existing number resources;

c. implementation of number pooling as soon as technically feasible in order to ensure competitively neutral access to unassigned numbers; and

d. a comprehensive outreach and education program.

11. Permanent number portability was deployed in several central offices in New York City in November, 1997. Number portability is expected to be deployed in all other New York City central offices by March 31, 1998 (See attached deployment schedule).

12. Pooling of geographic telephone numbers in a local environment is a number administration and assignment process which allocates numbering resources to a shared reservoir associated with a designated geographic area (Industry Numbering Committee [INC]: Report on Number Pooling - Draft No. 5, Issued September 29, 1997). Number pooling helps create a level playing field. Barring technical constraints, number pooling is expected to be available coincident with permanent number portability.

13. There is no evidence that CLECs will disproportionately have to meet number demand by receiving number assignments in the new area code. CLECs are more likely to

experience customer growth by customers changing carriers; and number portability will allow these customers to retain their current telephone numbers. Also, number pooling will ensure that all carriers will have equal access to available numbers in the existing area code regardless of size and timing of market entry.

14. The level of telephone number utilization in Manhattan by New York Telephone Company, the incumbent local exchange company, is approximately 80% -- among the highest in the United States. In contrast, the utilization rate for competitive local exchange companies (CLECs) in Manhattan is broadly estimated at 15%.

15. As of the third quarter of 1997, reports indicate that approximately 750 NXXs were available in the 212 area code of which 705 are currently in use. These reports also indicated that the incumbent LEC had 617 NXX codes assigned to it and the CLECs had 88 NXX codes assigned to them.

WHEREFORE, the Supplemental Petition for Reconsideration of the New York State Department of Public Service should be granted.

Allan H. Bausback

ALLAN H. BAUSBACK

Sworn to before me this
9th day of January 1998

Cheryl L. Callahan

Notary Public, State of New York
Commission Expires 8/13/98

Attachment

Schedule for Implementation of

Number Portability in New York City

Office	LNP Ready Date	Market Area
West 50th St.	Nov. 30, 1997	Manhattan
East 13th St. (2nd Ave.)	Nov. 30, 1997	Manhattan
East 79th St.	Nov. 30, 1997	Greater Metro
Newtown	Nov. 30, 1997	Greater Metro
West Staten Island	Nov. 30, 1997	Greater Metro
Broad Street	Dec. 31, 1997	Manhattan
West 36th St.	Dec. 31, 1997	Manhattan
West 18th St.	Dec. 31, 1997	Manhattan
JFK	Dec. 31, 1997	Greater Metro
Long Island City	Dec. 31, 1997	Greater Metro
West 176th St.	Dec. 31, 1997	Greater Metro
East 97th St.	Dec. 31, 1997	Greater Metro
Forest Hills	Dec. 31, 1997	Greater Metro
Corona	Dec. 31, 1997	Greater Metro
Flushing	Dec. 31, 1997	Greater Metro
Fairview Ave	Dec. 31, 1997	Greater Metro
Cruger Ave.	Dec. 31, 1997	Greater Metro
West 42nd St.	Jan. 30, 1998	Manhattan
West St. (140)	Jan. 30, 1998	Manhattan
East 30th St.	Jan. 30, 1998	Manhattan
West 73rd St.	Jan. 30, 1998	Greater Metro
Williamsburg	Jan. 30, 1998	Greater Metro
Laurelton	Jan. 30, 1998	Greater Metro
Grand Concourse	Jan. 30, 1998	Greater Metro
71st St.	Jan. 30, 1998	Greater Metro

Astoria	Jan. 30, 1998	Greater Metro
Tiebout Ave.	Jan. 30, 1998	Greater Metro
115th Ave. (Ozone Park)	Jan. 30, 1998	Greater Metro
Tratman Ave.	Jan. 30, 1998	Greater Metro
Staten Island New Dorp	Jan. 30, 1998	Greater Metro
140 West St. T	Feb. 28, 1998	Manhattan
World Trade Center	Feb. 28, 1998	Manhattan
Pearl St.	Feb. 28, 1998	Manhattan
E. 13th St. (2nd Ave.)	Feb. 28, 1998	Manhattan
Bridge St.	Feb. 28, 1998	Greater Metro
Varick St.	Feb. 28, 1998	Manhattan
East 38th St.	Feb. 28, 1998	Manhattan
Manhattan Ave.	Feb. 28, 1998	Greater Metro
Convent Ave.	Feb. 28, 1998	Greater Metro
Avenue Y	Feb. 28, 1998	Greater Metro
77th St.	Feb. 28, 1998	Greater Metro
Jamaica	Feb. 28, 1998	Greater Metro
East 167th St.	Feb. 28, 1998	Greater Metro
Thayer St.	Feb. 28, 1998	Manhattan
Rockaway Ave.	Feb. 28, 1998	Greater Metro
Troy Ave.	Feb. 28, 1998	Greater Metro
14th St.	Feb. 28, 1998	Greater Metro
Richmond Hill	Feb. 28, 1998	Greater Metro
West 50th St.	Mar. 31, 1998	Manhattan
East 56th St.	Mar. 31, 1998	Manhattan
East 37th St.	Mar. 31, 1998	Manhattan
E. 37th St. (E. 38th St)	Mar. 31, 1998	Manhattan
Albemarle Road	Mar. 31, 1998	Greater Metro
North Staten Island	Mar. 31, 1998	Greater Metro
E. 150th St.	Mar. 31, 1998	Greater Metro
North Jamaica	Mar. 31, 1998	Greater Metro

Avenue P	Mar. 31, 1998	Greater Metro
Clinton Ave.	Mar. 31, 1998	Greater Metro
Avenue U	Mar. 31, 1998	Greater Metro
Kenmore Place	Mar. 31, 1998	Greater Metro
14th Ave.	Mar. 31, 1998	Greater Metro
Liberty Ave.	Mar. 31, 1998	Greater Metro
Bayside	Mar. 31, 1998	Greater Metro
Avenue I	Mar. 31, 1998	Greater Metro
Bushwick Ave.	Mar. 31, 1998	Greater Metro
Hollis	Mar. 31, 1998	Greater Metro
South Staten Island	Mar. 31, 1998	Greater Metro

In the Matters of

CC Docket No. 96-98	Implementation of the Local Competition Provisions of the Telecommunications Act of 1996
CC Docket No. 95-185	Interconnection Between Local Exchange Carriers and Commercial Mobil Radio Service Providers
NSD File No. 96-8	Area Code Relief Plan for Dallas and Houston, Ordered by the Public Utility Commission of Texas
CC Docket No. 92-237	Administration of the North American Numbering Plan
IAD File No. 94-102	Proposed 708 Relief Plan and 630 Numbering Plan Area Code and Ameritech-Illinois

CERTIFICATE OF SERVICE

I, Cheryl L. Callahan, hereby certify that an original and eleven copies of the Petition for Expedited Waiver of 47 C.F.R. 52.19(3)(C)(ii) filed by the New York State Department of Public Service was sent by overnight mail to Mr. Caton. Copies were sent by First Class United States Mail, postage prepaid, to all parties on the attached service list.

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